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国务院政策例行吹风会：严肃查处原料药垄断，操控市场等违法违规行为

2019年8月22日，国务院新闻办公室举行国务院政策例行吹风会。会上披露，针对常用药价格上涨的问题，国家市场监督管理总局（“市场监管总局”）等部门采取了一系列举措，其中包括加强药品领域价格监督检查和原料药的反垄断执法。目前，市场监管总局已对4种原料药相关的涉嫌垄断行为立案调查。下一步，市场监管总局将加大执法力度，严肃查处原料药垄断、操控市场等违法违规问题。（[查看更多](#)）

SAMR Opens 4 Formal APIs-related Antitrust Investigations

On 22 August 2019, China's State Council Information Office held a regular policy briefing. During the briefing, a senior official said that the State Administration for Market Regulation (“SAMR”) and other relevant central departments have taken a series of measures to solve the problem of the price increasing of common drugs, including strengthening price supervision in the field of drugs and the APIs-related antitrust enforcement. At present, SAMR has opened formal antitrust investigations on four APIs. Next, SAMR will strengthen law enforcement and strictly investigate APIs-related monopolistic conduct and market manipulation. ([More](#))

重庆市市监局查处烧砖生产经营行业垄断协议案

2019年8月21日，市场监管总局发布了由重庆市市场监督管理局（“重庆市市监局”）查处的云阳县烧砖生产经营行业垄断协议案处罚决定书，重庆市江美元建材有限公司等6家企业及3名砖厂负责人因固定价格、限产限量等垄断行为合计被罚约386.98万元，其中，3个当事人获得的停产补偿款被认定为违法所得而被没收。该案也是继衢州市8家混凝土企业实施垄断协议案之后，市场监管总局今年公开处罚决定的第二起建材行业垄断案件。（[查看更多](#)）

Chongqing AMR Fines Sintered Brick Manufacturers over Collusion

On 21 August 2019, SAMR published the penalty decisions in which the Chongqing Administration for Market Regulation (“Chongqing AMR”) sanctioned local sintered brick manufacturers for price-fixing and output restraint. 6 companies and 3 individual businesses were fined about CNY 3.868m in total. Among them, the compensation for suspension of production obtained by three parties was deemed to be illegal gains and was confiscated. This case is the second antitrust case in the field of construction material investigated by SAMR this year. ([More](#))

市场监管总局公布中国首起餐饮行业垄断案

2019年8月20日，市场监管总局发布了由内蒙古自治区市场监督管理局（“内蒙古市监局”）查处的赤峰市巴林左旗餐饮行业垄断协议案处罚决定书，巴林左旗餐饮行业商会及4家涉案企业因

联合抵制交易的垄断行为合计被罚65万元。该案也是《反垄断法》实施十一年来，中国反垄断执法机构公布的首起餐饮行业垄断案件。 ([查看更多](#))

SAMR Publishes the First Antitrust Case in the Catering Industry

On 20 August 2019, SAMR published the penalty decisions in which the Inner Mongolia Autonomous Region Administration for Market Regulation sanctioned a local catering association and 4 catering service providers for boycotts. The combined fine amount to about CNY 650,000. This is the first antitrust case in the catering industry in China. ([More](#))

青海省市监局查处三起行政垄断案件，一起燃气公司垄断案完成调查取证

2019年8月19日，青海省市场监督管理局（“青海省市监局”）发布新闻称，今年以来，其已查处了三起地方政府部门实施的滥用行政权力排除、限制竞争行为的案件。此外，青海省市监局正在对当地某石油燃气公司涉嫌实施滥用市场支配地位行为的案件进行反垄断调查，目前该案已完成调查取证工作，现已进入行政处理阶段。 ([查看更多](#))

Qinghai AMR to Accomplish the Antitrust Investigation Against a Local Gas Company

On 19 August 2019, Qinghai Administration for Market Regulation (“Qinghai AMR”) released news saying that it has investigated three administrative monopoly cases involving several local governmental departments this year. In addition, Qinghai AMR is investigating a local gas company for suspected abuse of dominance. At present, a final decision of this case is pending. ([More](#))

海外动态 Overseas News

收购Farelogix交易遭美国司法部反对，Sabre回应将积极应对

2019年8月21日，据外媒报道，美国司法部（Department of Justice, “DOJ”）已就全球领先的旅游行业技术提供商Sabre公司拟以3.6亿美元收购竞争对手Farelogix的交易提起反垄断诉讼，以阻止此项并购交易。DOJ表示，Sabre在美国订票技术服务市场占有率有超过50%的市场份额，收购Farelogix的交易实质上就是一个垄断企业试图在“招安”颠覆性的竞争对手。报道称，Sabre已表示将积极应对此项诉讼。 ([查看更多](#))

Southlake-Based Sabre Plans to Fight DOJ’s Antitrust Lawsuit

On 21 August 2019, the *Dallas News* reported that airline technology company Sabre Corp. plans to fight an antitrust lawsuit filed Tuesday by the Department of Justice (“DOJ”) over the Southlake-based company’s USD 360m purchase of competitor Farelogix Inc. The DOJ said Sabre is the dominant provider of booking services in the U.S. with more than a 50% market share. The DOJ also said Sabre’s proposed acquisition of Farelogix is a dominant firm’s attempt to take out a disruptive competitor that has been an important source of competition and innovation. ([More](#))

美国司法部与十余州检察长合作推进科技巨头反垄断调查

2019年8月20日，据路透社报道，DOJ助理司法部长Makan Delrahim周二表示，DOJ正与十多个州的检察长合作推进针对大型科技公司的大规模调查。此前，Delrahim在一次科技会议上表示，作为7月启动的对谷歌、亚马逊、Facebook等拥有重要市场影响力的大型科技公司全面反垄断审查的一部分，美国政府正在研究此前批准的并购交易。知情人士向路透社透露，在未来几周内，预计会有十几个州对这些科技公司展开正式调查。（[查看更多](#)）

DOJ Teams Up with States on Probe of Big Tech Firms

On 20 August 2019, *Reuters* reported that the DOJ is working with a group of more than a dozen state attorneys general as it moves forward with a broad investigation into major technology companies, the department's antitrust chief, Makan Delrahim, said on Tuesday. Delrahim said at a tech conference in Colorado the government is looking at previously approved acquisitions as part of a broad antitrust review announced in July of major tech firms with significant market power, including Google, Amazon, and Facebook. More than a dozen states are expected to announce in the coming weeks they are launching a formal probe, a person briefed on the matter told *Reuters*. ([More](#))

美国司法部调查商业地板市场串通投标行为，一企业认罪领罚15万美元

2019年8月19日，DOJ发布新闻称，伊利诺斯州商业地板承包商PCI FlorTech Inc.（“PCI”）被控长期参与有关商业地板服务、产品的串通投标和固定价格的垄断行为。PCI已同意认罪并支付15万美元的刑事罚金，其还将配合DOJ对商业地板市场尚在进行中的反垄断调查。据悉，PCI至迟从2009年开始参与此项串谋行为并持续至2017年6月，长达近8年之久。PCI是DOJ发起的针对商业地板市场串通投标行为反垄断调查的首个被指控的企业。（[查看更多](#)）

Commercial Flooring Contractor Agrees to Plead Guilty to Antitrust Charge

On 19 August 2019, the DOJ announced that PCI FlorTech Inc. (“PCI”), an Illinois-based commercial flooring contractor, has been charged for its role in a long-running conspiracy to rig bids and fix prices for commercial flooring services and products sold in the United States. PCI has agreed to plead guilty and pay a USD 150,000 criminal fine for its role in the conspiracy and to cooperate in the Division's ongoing investigation. PCI participated in the conspiracy from at least as early as 2009 until at least June 2017. PCI's charge follows the guilty plea of a former vice president of another commercial flooring contractor. The DOJ will continue to investigate and prosecute contractors and their executives who cheat in the bidding process. ([More](#))

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